

WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
October 4, 2004

**\*\*\*DRAFT\*\*\***

**PRESENT:** LAURA PETRAIN, CHAIRMAN; LEON METHOT, CO-CHAIRMAN; HELEEN KURK, SELECTMAN; DOUGLAS COOK, SELECTMAN; THOMAS REYNOLDS, JR., SELECTMAN.

**TOWN ADMINISTRATOR:** ROBERT CHRISTENSEN

**RECORDING SECRETARY:** Pamela L'Heureux

**GUESTS:** Forrest Esenwine, Ginger Esenwine, Brian McDonald, Carl Knapp, Frank Compagna, and David Hunt

**6:35 p.m. Chairman Laura Petrain called the meeting to order.**

**PUBLIC PARTICIPATION -**

Forrest Esenwine questioned the Board of Selectmen (BOS) about their procedure for setting the wage for the elected position of police chief. Mr. Esenwine stated that he felt that the people of Weare might regret the decision to make the police chief's position an elected one. In reference to the requirements that the candidate must be a resident of the Town of Weare to run for this position; he stated that "there may be two or three people in town who live here who are qualified to step in and take the position, that are certified; whether or not they are even interested in the job is another question. I know a couple of them aren't interested in it at all so that may leave one or none". He felt we had a better chance of getting someone who is not qualified, who is not certified, that is the biggest chance we have. He felt that the election process would be a "popularity contests" because we've already said we want somebody with personality, we don't care whether they are qualified, whether they are a good cop or whether they know what they are doing, that they can teach everybody...as long as they have a good personality and you are easy to get along with then you're a good guy.

Chairman Petrain asked him if he was referring that the BOS had stated that. Mr. Esenwine stated no he did not mean that it was not the board; he felt that it was the people around town who are saying that.

Mr. Esenwine went on to query the BOS about the requirements of the elected Police having a year to get certified and that the Chief could potentially be no better or maybe even a little worse than any new recruit that came out of the Police Academy. They have no more qualifications, background, some of the graduates at least have background in law enforcement in corrections and they have had courses and degrees in law so there is a little bit of background. It is very possible we won't get any of that so we the town of Weare could be paying somebody a Chief's wage who doesn't know anything more than a raw recruit out of the academy. A raw recruit from the academy couldn't go out on his own when he goes with the department until he has been fully field trained which takes about 6 months. Mr. Esenwine continued to state that he

knew that three current officers of the Weare PD have applied at other departments. He felt that three more probably would also so that by March after the election, we may not have but one officer left and he is going to be in Iraq.

Chairman Petrain stated that she had not heard that information other than what had been stated in a local newspaper. Laura asked Mr. Esenwine if he had any suggestions for the qualifications the board should look for. Mr. Esenwine asked how they would come up with a wage that would make sense for a position that is so important and yet basically we are liable to be wasting an awful lot of money.

Chairman Petrain stated that unfortunately the vote was made and now the board is unfortunately faced with this dilemma where the BOS has to come up with something.

Selectman Cook Commented that the BOS needed to set the wage at a wage that we have now, an attractive wage that would attract qualified, certified, competent people to the job. He felt that setting the wage appropriate it would have more appropriate candidates interested in the position and not be just a popularity contest. Selectman Cook also commented that an elected chief cannot meet the certification with the one-year time frame, then whomever is on the BOS at that time would then appoint a new chief.

Chairman Petrain reiterated that the BOS has the task of setting a wage and the election comes up in March for a Police Chief and she agreed that they have not come to an understanding that the wage was set yet because the discussion entered into what Mr. Esenwine is saying and also what Selectman Cook is saying that we need to set the wage at an attractive point yet not too high so that we are paying someone who may just be out of the Academy, may be certified but without the experience that an \$80,000 chief would have. Then again we may have someone run like Mr. Esenwine had stated who is not certified and they have the one-year time frame. Chairman Petrain reminded Mr. Esenwine that the board cannot predict what is going to happen, who is going to be on the ballot, they just have to look at the position like they do other positions, except they are pinpointing a wage here. Chairman Petrain felt the BOS would have to look at what they felt was reasonable for a police chief for a town of this size and population with the number of officers that we have.

Mr. Esenwine also commented that the newly elected Police Chief position does not include Emergency Management, Animal Control Officer that is all part of the current \$80,000 that Miles Rigney has been getting. Therefore that wage should be cut back and then spend that on somebody else to take that over.

Mr. Esenwine also questioned who had control of the Police Department budget.

Selectman Reynolds commented that the Police Department is part of the town budget, which is the responsibility of the BOS.

### **NEW ENGLAND VILLAGE COMMITTEE:**

Brian McDonald came to the BOS questioning the NE Village Committee (NEVC) and their authority to do what they have in their meeting minutes and in their recent actions. He wanted to inform the BOS that the NEVC was stating their position as “an official town committee”. He asked what their expectations were and stated that when he attended a meeting the committee members could not tell him how they were deemed an official town committee. Mr. McDonald stated that a member of the committee stated that they had the blessing of the BOS to be an official town committee. Mr. McDonald looked into this and found that there were some meeting minutes where the BOS had discussions about it and as they were starting to discuss some things, Mr. McDonald began to wonder about some of the Village district that that NEVC is proposing is very similar to a Historic District. Mr. McDonald was looking into the July 18<sup>th</sup> meeting and an August 2<sup>nd</sup> meeting minutes by NEVC Secretary Beaupre came to the BOS to discuss creating a New England Village in Weare Center. Mr. Beaupre came back on August 2<sup>nd</sup>. Brian read the minutes of the 8/2/04 meeting and Mr. Beaupre’s comments. Mr. McDonald then questioned the BOS authority to create a new town committee. Mr. McDonald has filed a right to know to get information about this committee.

Mr. McDonald pointed out several statutes: RSA31 and RSA39 to the BOS referencing powers and duties of a town not necessarily a BOS...towns can make bylaws for the care, protection, preservation, and use of public cemeteries, parks, commons, libraries, and other public institutions. One of the goals or aspects that the NEVC is doing is they are deciding what things are going to be wanted in Weare Center and what things won’t fit into their plan for Weare Center and they are actually prioritizing this. Mr. McDonald felt this should go before a town vote. Mr. McDonald stated that his primary concern was the town common area by the gazebo that the soccer/T-ball fields are on. RSA35 basically powers for a Parks and Recreation Committee and it basically explains that the town common as far as recreational uses by the town is strictly under Parks and Recreation. The NEVC should not be discussing any other use of those fields unless they want to go to the Parks and Recreation and discuss it. Chapter 36 talks about conservation committee and the powers of the conservation commission. He felt that the NEVC is trampling over the boundaries into the Conservation Commission. Some of the RSAs of chapter 37 have guidelines for exactly what a Village District is. Ch37 Section 14 states that no village district or precinct shall avail itself of the provision here of unless the town in which such district or precinct or major part thereof as shown by its evaluation is located taxpayers shall have voted to adopt such a provision. Thus Mr. McDonald stated he didn’t think that the NEVC could even decide if this Weare Center area is going to be considered a village. Mr. McDonald went on to say that he didn’t think that the members of NEVC are doing anything disgraceful, he just didn’t think they realize that they are stepping in areas that they don’t belong in and that which they have no authority to do so. RSA 41 has statements about even the BOS would have to go before the Planning Board and Conservation Commission before they could do anything. Chapter 52 gets more into village districts stating what is necessary before one can even be started including a petition of 10 residents. RSA:52, Ch 2 (a) talks about budgetary requirements of a committed. RSA:52 also states cannot even name a village district without voter approval.

Mr. McDonald was also concerned that the NEVC actually sent out notices to residents that live within this district. There is no district as of yet. They have to go through the voters. Ideas for the town common should come from the town's voters.

Chairman Petrain explained that the BOS gave the NEVC instructions to come together and work through some ideas and then come back to the BOS with their data and then to get voter approval.

Selectman Cook reiterated that the NEVC had been told to come back with three top ideas to go before the BOS and then go to the voters of the town. Selectman Cook stated that he had attended the meeting Tuesday night and felt that it was very encouraging to him because top concerns of the NEVC would be green space; town office space and athletic fields are the top list of suggestions that the committee is working on. Even though the NEVC is an advisory committee to the BOS as to what can be the best use of that area. The majority of the committee members have recognized that those three are the priority. They are not going off on a tangent. They are looking at other ideas that the committee didn't think would work in this town and are therefore focusing their energies on the top three ideas.

Mr. McDonald felt that all ideas should be presented versus a small committee assuming the authority of making the decision of what three are tops. They are inviting public to come, inviting 20 members, which is in his opinion too many members to be a real working committee. He felt that ideas should be done at a public hearing and then go before the voters. He asked what the BOS' interpretation of the NEVC secretary Mr. Beaupre saying that they are an official town committee.

Selectman Cook stated that they were in an advisory committee only. Chairman Petrain agreed with Selectman Cook.

Selectman Kurk told Mr. McDonald that when the committee members originally came to the BOS, one of the things they said is that they were willing to do a lot of leg work to get a lot of information, get a lot of input that should be able to help the BOS when it comes to the point that those buildings and that space in Weare Center becomes available. She stated that she felt very strongly that whomever the five people on the BOS don't have the time nor the expertise or perhaps the depth of interest as a board to do all of that legwork. It seemed that if there were citizens who were interested in pulling together. She appreciated the fact that there would truly be outreach to a whole variety of people and perhaps in conjunction with that went the letters to all of the committees, all the different factions in town; private as well as town orchestrated, i.e. Weare Athletic Club as well as parks and Recreation, the people who live in close proximity to the school area because whatever happens there is their front or back yard. She stated that at no time did the BOS indicate that whatever the NEVC said was going to be rubber stamped or that it would not go to the voters. She also appreciated the fact that there are different people who have different vested interests in the area which is one of the reasons why it was so important that the NEVC reach out to get the input from WAC and all of the other town entities so that wasn't left out. If when they come to the Bos with three proposals and nothing of WAC is in there then certainly something big would be missing. She felt that "official" is a wrong term

used. What they asked for and what the board gave them was to go out and get info and then the BOS would listen to NEVC when they returned.

Mr. McDonald also questioned the space on the Town of Weare website utilized by the NEVC as deceiving to the people to make them believe that they are an official committee and not clarified as an advisory committee.

#### **PUBLIC HEARING:**

#### **Repaying Federal Emergency Management Agency an overpayment of \$34,399.00 from the unreserved General Fund.**

Chairman Petrain opened the Public Hearing at 7:05 pm. There was no public comment. Chairman Petrain motioned to repay the sum of \$34,399 from the unreserved general fund. The motion was seconded by Selectman Methot Methot. VOTE: passed unanimously 5-0-0.

#### **To receive \$27,265.47 from FEMA for a past snow emergency and apply to amount to the DPW budget.**

This grant had been applied for by Carl Knapp to recuperate expenditures which occurred in 2003. Discussion ensued whether to apply to DPW budget or to go the Genl. Fund.

Selectman Cook stated that he was not in favor of having the funds to into the DPW budget per the recommendation of town auditors and also Bob Anderson of FEMA who both felt that it should go into the general fund as the first choice. He felt that this grant was money from 2003 and not the current budget so it should go into the General Fund.

Selectmen Kurk asked Carl Knapp if this money would be used as a safeguard for the DPW to not go over budget to protect his bottom line. Carl stated that the bottom line would stay the same of the default budget but the operating budget bottom line would increase.

Carl Knapp, Director of DPW stated that he would like to have the money put into the DPW budget. He stated that he is running on his sixth year of a default budget and only has enough money in his current budget to purchase about eight loads of salt for the upcoming winter season. He also stated that the cost of Diesel fuel has gone up a giant leap. He felt that if the money was placed into the General Fund that it could create an emergency situation if we were to have a major storm season and then the time it would take to get a public hearing to have the funds made available and then to have the salt delivered would be difficult. Carl stated that the salt budget he currently has, would fill only about 10% of the salt shed.

Selectman Methot asked Carl if there was any pricing issue with buying the salt now or later in the winter. Carl stated that the salt price is currently fixed from now until April. Selectman Methot suggested that Carl order the salt now to be prepared for the upcoming season. He backed the proposal for the money to be there if needed and if not then the surplus go to the General Fund after salt and fuel budgets are looked at

VOTE: Chairman Petrian made the motion to accept the grant of \$27,265.47 and apply to the DPW budget. The motion was seconded by selectman Kurk.

VOTE: passed 3-2-0 (yes: Leon, Tom, Laura; Na: Helene and Doug).

**Department of Public Works Notes:**

Carl Knap, Director DPW wished to inform the board of the status of some of the DPW projects. He stated that he has received approval for funding for two more bridges to be repaired. However, the funds would not be available until July 2007. He stated that the Woodbury Road bridge project is close to being done. The concrete work is all done, they are just waiting for the actual bridge components to be shipped and installed. He stated that this was being fabricated in South Dakota.

He also stated that they were winding down on paving projects.

Reminder of Hazardous Waste Day at the transfer station this Saturday 10/9/04 from 9-2 or until they exceed the allotted funds so he would encourage people to come early.

The transfer station is moving back to winter hours. They shipped 2 loads of cardboard and 1 load of plastic. The price of metal is up for aluminum and scrap metals.

Carl also noted that the Purington ball field is almost done. They have leveled the field, put down landscape fabric and then six inches of sand and have now been screening loam to put six inches of loam down.

Selectman Cook asked Carl to give the BOS a list of the man-hours for the safety complex. He also asked the status of the sign, which is done and ready at Swenson's Granite.

**OLD BUSINESS:**

**TOWN ADMINISTRATOR JOB DESCRIPTION:**

Discussion ensued between the BOS and Robert Christensen, Town Administrator about changes/deletions to the job description for Town Administrator. (copy of job description on file with this report)

The BOS accepted the Town Administrator Job Description as generally written but wanted to discuss certain entities:

The board questioned #5 of job description of the Town Administrator working with dept heads to work through early budget stages and then present to BOS a more detailed draft of dept budgets.

Bob asked for authority to cut items from budgets. Selectman Kurk suggested he make recommendations and then have the dept heads speak up for their opinion if they have firm disagreement with Bob on an item.

Bob Christensen stated that his intention was to work with the department heads and get the budgets hammered down to basically be with 90-95% of where it is ultimately going to be, that 5% being perhaps where a department head and himself might disagree on a key item. Ultimately the BOS being able to say no that item needs to be there or ultimately the BOS saying we are still too high and we need to come down.

Selectman Cook asked if Bob was suggesting that the board make a recommendation at the beginning of the budget season saying something like we have a 3% cap.

Bob stated that the board could definitely provide a philosophy but Bob felt that this commented with #9 in that his observation of what town administrators do and his conversations with other town administrators, they in concert with the BOS with discussions that have been going on all year long, Bob feels he will have known by June/July that we have room to go this year or we are absolutely going to have to hold 3%. Therefore he would know philosophically heading into his discussions with department heads and staff that we need to be as fiscally conservative as possible. He felt that his role would be to formulate an advisory budget to be presented to the BOS. He envisioned coming in front of the board and giving each board member a binder saying we worked hard, here it is, we are in the ballpark and then we are down to 10% having to be scrutinized. Bob would then back away and the BOS ultimately has the ability to say they want to speak to the department head or if the department head vehemently disagrees then they can go to the BOS.

Selectman Cook was concerned that there is a fine line between Town Administrator and Town Manager and that even though he felt comfortable with Bob and his plan, he did not want to put the town in the position of conflict with another person were Bob to leave.

Selectman Methot commented that the logistics of working with Bob was acceptable yet should the happenstance that someone else is in that position in a year or two from now that the BOS not be put into a awkward position with another Administrator. He felt he had no issues with Bob hammering out the budget as it would save a lot of work for the BOS as long as the members received all the backup material that the department heads present to the Administrator.

The BOS suggested a "test run" be done this year with Bob meeting with Dept heads with budgets due 10/8/04 and that they could meet with Bob for line item dialogue with the dept heads. Then Bob create a report in format to the BOS for budget drafts. If the Dept heads have any comments to present to the BOS then they can do so at meeting as per the prior standards for discussion.

Chairman Petrain asked Bob Christensen if it would be feasible for Bob to present by November first something to the BOS based on all of the Departmental Budgets. With sitting down with each department head would he have the time to do this by 11/1/04.

Bob stated that he could produce recommendations and a budget based upon what is in the office on October 8<sup>th</sup>. With those budgets that he has, he will definitely take a crack at starting to move in that direction. He asked the BOS for some clarification as far as what he is ultimately doing. Is it just synthesizing it down into a document that is readable and is concise or is he

actually going through and beginning to do the questioning process, beginning to pare out some things, what does the board want him doing by November 1.

Chairman Petrain and Selectman Cook said that what Bob had outlined as his statement above would be acceptable to them making it a lot smoother process with Bob meeting with department heads during the day. Selectman Cook reiterated that this year would be a test run for the board to see what Bob actually would be doing and how this works with the department heads this year.

Selectman Methot commented that 90% of the dept heads have already been through the budget process and know what to expect from the BOS with exception of payroll, health insurance and items that affect their budget beyond the control of the dept heads, i.e. fuel costs and uncontrollable variable expenses.

Selectman Reynolds reiterated dept heads need to get budget info to Bob by 10/8 and then he can streamline to the BOS by 11/1. Board does not feel that Bob will have to go head to head with dept heads because if there are any issues the department heads can go to the BOS with concerns.

Discussion of how the board feels about specific paragraphs of the job description. Selectman Kurk questioned verbiage of the job description as being nonspecific. Selectman Methot suggested the verbiage needs to be generalized not too specific due to the changes that can be interpreted by future board members. Chairman Petrain also commented that the job description itself is well written.

Selectman Kurk questioned: phasing in process going fast as the budget items discussed previously. Asked Bob what his timeline was for phasing in goes. Bob commented that #5 is a key item. He intended for Merry Rice and himself to work on prioritization of what can be done, delayed or delegated for the day-to-day requests that might make overall timing and efficiency still in phasing aspect. He is trying to address each of these at this point. Bob asked what the board was anticipating this year or what they were expecting from him during this trial run this year.

Chairman Petrain asked that he write the budget for items that the departments actually need.

Selectman Cook suggested as guidance to Bob exploring the possibility of coming up with op budget of minimum of what we can work with and then explore options discussed last year of supplemental budgets for things above and beyond dept heads what they could use but do not put into budget in fear of risking operating budgets. List the "have to's" in the operating budget and then "want to's" in supplemental budget article items.

Selectman Cook asked if #5 would be the last piece of the puzzle. Bob commented yes along with annual goals (#9) need to be phased in.

Selectman Kurk stated that she had researched towns that had similar positions in towns of closely equal to comparison with Weare. Copies were provided to all BOS members.

Chairman Petrain made the motion to accept the Town Administrator's Job Description. The motion was seconded by Selectman Kuurk. VOTE: passed unanimously 5-0-0

### **POLITICAL SIGNAGE ON PUBLIC PROPERTY:**

Current statute in place for signage RSA:664:17 Want to add this clause of "no postings in or on town property" be stated clearly to prevent political signage on town property. Selectman Cook asked why we couldn't just fall back on the existing RSA and enforce with 24-hour notice offender to remove sign or police contact them for enforcement of RSA. Selectman Methot commented to never print statute as part of ordinance. Only quote or reference but not print. Therefore if RSA changes, we do not need to re-do town ordinance. Utilization of the town hall for a political rally could use the building but could not put signage in front of town hall needs to meet verbiage guidelines: i.e. meet candidate X cannot put Vote for candidate X. Bob to rewrite policy and have BOS sign.

### **APPROVAL OF MEETING MINUTES:**

9/15/04 minutes. Transcription corrections needed will re-address at next meeting. All members have not been able to review the minutes as written. The 9/20/04 meeting minutes have not been reviewed by board members and will also be readdressed at the next meeting.

### **MANIFESTS:**

Chairman Petrain motioned to move to authorize the board of selectmen to sign a manifest as written by Elayne Pierson in order for the treasurer to sign checks dated October 7, 2004; those being: Accounts payable \$240,558.33; Gross Payroll \$27, 683.27 for a total of \$268,241.60 with Void Accounts Payable being \$317.89. Laura motioned to approve the manifests. Selectman Methot seconded the motion. VOTE: passed unanimously 5-0-0. Chairman Petrain also noted that Elayne did not give the board last weeks totals and will be added to the minutes for last week's meeting.

### **OLD BUSINESS:**

1. Signs in front of the town hall to be repainted. Selectman Kurk stated that Mr. Drysdale wanted to know what colors to paint the town signs. The color selected was Navajo White used on the other signs entering town with Pine Green lettering. Selectman Methot suggested painting it the same as the signs at the town entrances on Rte 114, Rte 77 and Rte 149 would maintain continuity of town signs.
2. Selectman Cook questioned not being allowed access to minutes of closed session and Legal meeting scheduled on October 6<sup>th</sup>. Selectman Cook stated that he had requested the meeting minutes as a board member to review the minutes to be prepared for the upcoming meeting, as he was not present at the 9/7/04 meeting. Chairman Petrain stated that the minutes were sealed and not available until the board approved them, which was planned for this evening. She disagreed with Selectman Cook that they be opened. Selectman Cook stated he did not want a copy of the minutes, he just wanted to view them so that he would know what this legal meeting was about and nobody would tell him. Chairman Petrain stated that the minutes were not left with the Administrator as she had transcribed them herself and did not leave them at the last meeting. Selectman Cook suggested that the board go to the Municipal Association to get an opinion on that as he

disagreed with Chairman Petrain. Selectman Cook believes that those minutes should have been in the Selectmen's office per RSA 91 and if they are non-public minutes, he believes he has every right to review those minutes in the office. Selectman Cook asked for the other Board members opinion on this matter. Selectman Reynolds felt it was perfectly acceptable for another board member to read the minutes, as they should be privy to that information. He also stated that he did not know what that non-public meeting was about either as he was absent from that meeting also.

3. Benefits Review: There is a meeting Thursday 10/21/04 at 6pm.
4. Safety Complex bond correction of line item amount. Selectman Methot commented item on for JM Protective Services is for the South Weare station not the Safety Complex. He asked that this item be moved to the Fire Department Budget.
5. Lindsey Lane fire cistern: Memo from Chip Meany dated 9/23/04. Bob Christensen stated that Town Council advised the BOS get legal council regarding any legal fees before this Lindsey Lane issue is wrapped up. They suggested we could try to recoup prior actions aside from this. Selectman Cook felt that this is one issue and the BOS needs to get final cost of the cistern and legal fees to present to Chip Meany with final costs prior to any building permit being issued as the bond presented for that project was bogus.
6. Need for a public hearing in January for budget warrant articles. The 18<sup>th</sup> is the last day it can be held due to Warrant having to be posted by 1/31. Will schedule for January 10<sup>th</sup>. Will have the meeting notice posted no later than Jan 3<sup>rd</sup>.
7. Agenda items: Chairman Petrain asked that anyone wanting to add new items to future agendas to contact Bob or Merry so that the items can be added in time for preparation if necessary to answer any inquiries at the next meeting. This would also allow scheduling and control of future meeting agendas if possible unless item deemed urgent for the next meeting. Chairman Petrain also asked that if anyone is checking on the status of something from a previous meeting agenda item to call Bob Christensen ahead so that he can research any necessary information to be able to provide answers at the meeting if possible instead of waiting to a future meeting for answers.

#### **ADMINISTRATOR'S REPORT:**

Trapping on Woods' property: This question has been presented to the Conservation Commission. The Commission replied with "The WCC will need to discuss this request to trap on the Woods' property at their meeting on the 13<sup>th</sup>. The WCC felt that they do allow hunting but trapping is a different issue and can be indiscriminate which concerns the members of the commission. We should have more info by the 18<sup>th</sup> to pass on to the inquiring individual.

CGI Video of the Town: 3 years of no cost to town of Weare. We would be grandfathered after 3 years so we would never have a cost to the town. Contract negotiations underway. Laura asked if we are bound to have the banner or if the board could have the banner crossed out from the contract so not to have tacky banners in town. More info on their web site. Banners are physical banners with information large portion of banner businesses can advertise on bottom of banners. Selectman Methot commented that CGI would have to get permission from utility companies to install the banners. Bob feels it could augment the volunteer drive for different organizations in town. Laura questioned whether other town committee members may have

technical savvy to video town organizations and put that on our town web site ourselves without getting involved with this CGI company. We don't have a lot of businesses in town and may make them feel pressured to buy signs. Would banners be sold to outside companies.

#### **NEW BUSINESS:**

- 1) Chairman Petrain made the motion to accept Joan M. Couhie application to volunteer on Benefit review committee. The motion was seconded by Selectman Reynolds. VOTE: passed unanimously 5-0-0.
- 2) Chairman also made the motion to accept Joan M. Couhie to the Economic Development Committee with an expiration date of 2007. The motion was seconded by Selectman Methot. VOTE: passed unanimously 5-0-0.
- 3) Planning board recommended upgrading alternate member Steve Lumen as a full member. Selectman Methot made the motion to accept this recommendation and make MR. Lumen a full member of the Planning Board. Selectman Reynolds seconded the motion. VOTE: passed unanimously 5-0-0.
- 4) Selectman Kurk made the motion to get the balance sheet from Finance Officer at budget time in Oct-Nov, another one before deliberative sessions in Jan/Feb and another one just to get an update in June presented to the BOS without requesting it. The motion was seconded by Selectman Methot. VOTE: passed unanimously 5-0-0.

Chairman Petrain made the motion to approve the nonpublic meeting minutes from September 7, 2004 being under RSA 91-A:3, II (a) and RSA 91-A:3, II (c). The motion was seconded by Selectman Kurk. VOTE: passed 3-0-2 with selectmen Reynolds and Cook abstaining.

Chairman Petrain made the motion to approve the nonpublic meeting minutes of September 7, 2004 RSA 91-A:3 II (c). The motion was seconded by Selectman Kurk. Vote: Passed 3-0-2 with selectmen Reynolds and Cook abstaining.

#### **NONPUBLIC SESSION:**

Chairman Petrain made the motion to enter into nonpublic session at 9:47 p.m. pursuant to the authority granted in RSA 91-A:3II (c) for reputation. A roll call vote was taken: Co-chairman Methot – yes; Selectman Kurk – yes; Selectman Cook – yes; Selectman Reynolds – yes; Chairman Petrain – yes. Passed 5-0-0.

The Board of selectmen considered a request from a citizen to receive a copy of the August 30, 2004 nonpublic minutes. The Board reviewed the minutes and determined there was not enough reason to unseal these minutes or make a copy of them for the citizen requesting it on the grounds the citizen did not play a prominent role in the text of the nonpublic minutes. Selectman Petrain made the motion to unseal the nonpublic minutes from August 30, 2004. Selectman Methot seconded the motion. Roll call vote all selectmen (Petrain, Methot, Cook, Reynolds, Kurk) voted in the negative - motion did not pass.

In attendance: Chairman Petrain, Co-chairman Methot, Selectman Cook, Selectman Kurk, Selectman Reynolds and Mr. Robert Christensen.

**ADJOURNMENT:**

A True Record

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Pamela L'Heureux  
Transcribing Secretary